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EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 04/23/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,269

Applicant(s)

DUTTA, RABINDRANATH

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the communication, filed 02/05/04.
2. Claims 4-27 are pending in this application. Claims 4, 9, 13, 23, and 27 are independent claims. This action is made non-final.
3. In view of the Appeal Brief filed on 02/05/04, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 4-17, 21, and 23-27 are rejected under 35 U.S.C. 102(e) as being anticipated by May (U.S. Patent No. 6,614,419 B1).

As to claim 4, May teaches in a data processing system, a method comprising the steps of:

in an application program, determining control GUI objects and a content object (information and map display on screen 22, col. 7 lines 19-20, topographic map, col. 18 lines 26-41, and control GUI objects are a set of soft key labels 82 through 90, col. 19 lines 22-33, figs. 6A and 7);

determining if a user has set a display option flag (when one of elements 12, 14, 16, 18, and 20 of figs 5, 6A-B is selected, the screen 22 will display different information and map, col. 19 lines 20-39) indicating a preference for either a conventional screen object to be displayed comprising a display of the control GUI objects and the content object (fig. 6A shows both controls (82, 84, 86, 88, and 90) and the map on screen 22) or an unconventional screen object to be displayed comprising a display of the content object but not any of the control GUI objects (fig. 5 shows no control objects when NAV 12 is selected, col. 18 lines 10-12); and

determining the screen object to include the content object but not any of the control GUI objects as a function of the display option flag having a setting indicating a user preference for display of the content object without any of the control GUI objects (fig. 5 shows eliminated on-screen soft keys which allowing full use of the screen for navigation graphics, col. 18 lines 10-12, and if WX1 16 is selected (fig. 7), the controls 82, 84, 86, 88, 90, and 92 will be displayed on screen 22).

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As to claim 5, May teaches the method as recited in claim 4, further comprising the step of displaying the screen object on a display device of the data processing system (multifunctional displays have been personal computer based, col. 15 lines 20-32).

As to claim 6, this is a combination of claims 4 and 5. Note the rejections of claims 4 and 5 above.

As to claim 9, this is a computer program product claim of system claim 4. Note the rejection of claim 4 above.

As to claim 10, this is similar in scope to claim 9 above except the option flag can be reset (deselect or select different options such as elements 12, 14, 16, 18, and 20 of figs 5, 6A-B, and note the rejection of claim 1 above).

As to claim 13, May teaches data processing system comprising:

a processor, a display coupled to the processor (multifunctional displays have been personal computer based, col. 15 lines 20-32);

a memory storing an application program (col. 15 lines 21-40) further comprising:

a screen object that is then displayed on the display, a content object, a control GUI object; a display option flag (when one of elements 12, 14, 16, 18, and 20 of figs 5, 6A-B is selected, the screen 22 will display different information and map, col. 19 lines 20-39); and

a screen state changing program (changing colors and others based on the currently selected operational mode of the multifunctional display, col. 5 lines 44-60) for determining whether the screen object will include only the content object without any control GUI object as a function of the display option flag (fig. 6A

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shows both controls (82, 84, 86, 88, and 90) and the map on screen 22) or an unconventional screen object to be displayed comprising a display of the content object but not any of the control GUI objects (fig. 5 shows no control objects when NAV 12 is selected, col. 18 lines 10-12).

As to claims 14 and 15, they are similar in scope to claim 4 above; therefore, rejected under similar rationale.

As to claim 16, May teaches the system as recited in claim 15, wherein when the display option flag is reset for a preference that a conventional screen be displayed on the display whereby the content and the control GUIs are displayed (deselect or select different options such as elements 12, 14, 16, 18, and 20 of figs 5, 6A-B, and fig. 5 shows eliminated on-screen soft keys which allowing full use of the screen for navigation graphics, col. 18 lines 10-12, and if WX1 16 is selected (fig. 7), the controls 82, 84, 86, 88, 90, and 92 will be displayed on screen 22), then the screen state changing program will determine that the screen object will include the content object and the control GUI object (fig. 6A shows both controls (82, 84, 86, 88, and 90) and the map on screen 22), any of the control object displaced by the control GUI object will be stored into an excess content object (when selecting NAV 12 of fig. 5, there are no control objects on the screen 22; however, when selecting TOPO 14 of fig. 6A, elements 12, 14, 16, 18, and 20 will be shown to users that means information and control objects have to be stored somewhere in the system so that they can be retrieved with different selections from the users).

As to claims 7 and 11, they are similar in scope to claim 16 above; therefore, rejected under similar rationale.

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As to claim 17, May teaches the system as recited in claim 16 wherein the display option flag is reset for the preference that the conventional screen be displayed by receipt of a user selection of a hardware button on the system (elements 12, 14, 16, 18, and 20 of figs 5, 6A-B).

As to claim 8, May teaches the method as recited in claim 7 wherein if the display option flag is set to indicate a preference for the unconventional screen object then the control GUI objects are eliminated from the screen object and the excess content object is included in the screen object. It can be rejected under similar rationale as claim 16 above.

As to claim 12, this is a program product claim of method claim 8. Note the rejection of claim 8 above.

As to claim 21, May teaches the system as recited in claim 14, wherein the data processing system is a desktop computer (multifunctional displays have been personal computer based, col. 15 lines 20-32).

As to claim 23, this is an apparatus claim of system claim 13. Note the rejection of claim 13 above.

As to claim 24, this is an apparatus claim of system claim 14. Note the rejection of claim 14 above.

As to claim 25, May teaches the apparatus as recited in claim 23, further comprising a hardware input in communication with the screen object that permits selection by the user to display the control GUI objects when they have previously not been displayed with the content object (selection of such secondary operational mode causes a software command or a hardware switch to display soft key labels that allow full set-up and use of StormScope operational mode 18, col. 19 lines 39-57).

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As to claim 26, May teaches the apparatus of claim 23 wherein control GUI objects include displayed objects permitting the user access to data or databases (col. 8 lines 25-50, and fig. 6A-B).

As to claim 27, this is similar in scope to claim 1 above; therefore, rejected under similar rationale.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 18, 19, 20, and 22, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik (U.S. Patent No. 6,064,373) in view of May (U.S. Patent No. 6,614,419 B1).

As to claim 19, Ditzik clearly teaches on his system using PDA, several pocket computers, and hand held tablet computers (col. 6 line 67 and col. 7 lines 1-2); however, Ditzik does not show a system as recited in claim 14 as a Multifunctional Display. May's system is clearly a Multifunctional Display as a Navigation Tool (note the rejection of claim 1 above). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to use the Multifunctional Display of May in Ditzik's PDA to provide navigational control features to the PDA user.

As to claim 18, it can be rejected under similar rationale to claim 19 above.

As to claims 20 and 22, they are similar in scope to claim 19 above; therefore, rejected under similar rationale.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cseri (U.S. Patent No. 5,623,591) teaches control objects, enable and disable all control objects, GUI, and toolbars (cols. 6-56 and figs. 2A-15).

Oran et al. (U.S. Patent No. 5,920,316) teach auto hide control objects, GUI, enable, disable, and display (cols. 2-12, and figs. 14, 15A-C).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong
04/15/04

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